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LEGISLATURE

Bill to Make Richmond County Dry Passes the Senate

OTHER MATTERS

A Bill Was Introduced in the House for the Regulation of the Liquor Business in the Entire State—Morehead City Put Under the Watts Act. A Bill for the Relief of the Institution for the Blind Was Referred to a Committee—Matter of Clerks to House Committees Causes Discussion—Other Proceedings in the House and Senate.

SENATE.

(Special to The Messenger.)

Raleigh, N. C., January 14.—Lieutenant Governor Winston called the Senate to order at 11 o'clock, and Rev. Alfred H. Moment, of the First Presbyterian church led in prayer. The reading of the Journal was dispensed with, and the chair appointed on the Journal Committee Mr. Long, of Iredell, Mr. McLain, and Crisp, of Graham.

The chair announced that Mr. Empe of New Hanover, was added to the committee on Penal Institutions.

INTRODUCTION OF BILLS.

By Senator Duls: Relating to Charlotte Carnegie Library. Libraries.

By Senator Mason, of Northampton: For relief of Geo. Johnson, of Northampton. Pensions.

By Senator Alexander. To fix compensation of jurors in Rutherford county. Counties, Cities and Towns.

By Senator Alexander: To prevent hunting on lands of another in Rutherford county without permission. Propositions and Grievances.

By Senator Wright: To impose penalty on Telegraph Company for non delivery of messages. Judiciary.

By Senator Cox: For relief of Gody, ex-sheriff of Anson county. Finance.

FINAL READING.

To amend charter of the town of Salem. The bill involves the issuance of bonds. The bill passed its final reading.

To amend the charter of the Statesville Air Line railway, authorizing the town and county to subscribe stock upon certain conditions. The bill passed its readings.

To prevent the manufacture, sale or shipment of vinous, spirituous or malt liquors or intoxicating liquors in Richmond county. Mr. Everett explained the bill, stating that he knew the sentiment of the people of his and the surrounding counties which he represented, and they demanded the passage of this bill. He said there are five roads running out of Hamlet, and whiskey is shipped from Hamlet and dumped it into the surrounding counties which are prohibition. He stated that he had petitions signed by a majority of the registered voters of Richmond county asking the passage of this law, and petitions from women asking the legislature to save their boys and girls. He said he hoped the Senate would give a unanimous vote in its favor. This bill will not apply to shipments of liquors to druggists, and any firm violating this act will be guilty of retailing under the meaning of this act, and will be guilty of a misdemeanor, and be fined in the discretion of the court. The law would be in force after April 1st, 1905.

Mr. Cox wanted to know if the petition advocated the anti-jug-law phase of it. Mr. Everett answered he did not know. Mr. Cox continued that he thought both sides on the question should be heard. Mr. Everett said that it would go before the House committee, and there both sides would be heard.

Mr. Cox then said that if the bill were to be voted upon at once, he was not in a position to vote for it as he did not know the sentiments of the people of Richmond county, and he doubted the statements and claims made by its advocates.

Mr. Bragaw stated that he did not see why the citizens of Richmond could not vote upon the matter and settle it for themselves, but was told in the committee, he said, that only incorporated cities and towns could vote upon this question, and that there was no remedy save by legislation for the people. He had objected to the bill before the committee, but then he was told of the petition signed by more than one thousand voters, but as the bill was not to exempt the county of Richmond from the Watts law, but to give them their just rights what they wanted, and he hoped the bill would pass unanimously.

Mr. McLain, of Scotland, favored the bill, and related the condition of those counties, and the harm coming from allowing the men of Richmond to manufacture and disburse this liquor

among the surrounding counties. He said that the legislature had given prohibition to Scotland, Chatham and other counties, and that with Richmond county wet the Watts law nor prohibition was effective because any man in the afternoon could go over to Richmond and fill their jugs and come back that night with enough whiskey to last them a month. Mr. McLain then took up his Bible, held it high above his head and invited the attention of the Senate to it. Mr. McLain uttered more than a score of quotations.

Mr. McLain called to a page to bring him a glass of water, that he was talking about a dry subject and his throat was thirsty.

Mr. Duls said he did not think his personal views on the liquor question affected this bill, but he said the gentlemen from Richmond and the surrounding counties stated that this question was made an issue in the campaign and they were elected on this issue. He said that since the enactment of the Watts law there had been no investments in the section, and in justice to those people he hoped the bill would pass. Mr. Crisp said he would vote for the bill.

Mr. Alexander said his county, McDowell, was suffering from the same cause, and spoke of its injuries. He said he would vote for the bill.

Mr. McCulloch endorsed the bill. He said Bladen county was peculiarly situated, that his entire district was prohibition territory, and was effected directly by Richmond county, and except for the shipment of whiskey down the road he would have absolute prohibition. He hoped the bill would pass.

Mr. Shaw favored the bill, and said he knew people in Robeson county who made a living by driving up to Richmond county and coming back laden with whiskey.

Mr. Empe said men would talk about liquor when they would talk of nothing else. He thought there were enough laws on the statute books to regulate the sale of liquor. He said the Watts law provided that when a town or county wanted prohibition they should call an election, and he lifted his voice in opposition to the bill. He said that shipments of liquor could not be prohibited, that it would come from over the border anyway. He said he would vote against the bill.

Mr. Aron said he thought there was sufficient remedy in the Watts act, and taking this in consideration he would vote against the bill.

Mr. Ellington said he thought if there were a photograph of the jugs and kegs and barrels, there unloaded, that would be argument enough, and those who opposed the bill would blush. He said he would prefer the Arkansas whiskey bill to the Watts law, but that he would try to strengthen the Watts law where it is weak, and that it is the duty of the Legislature to do this, and that as for the political influence of the whiskey men, their influence is nothing when they are out of business, and as far as they are concerned there is no possible consequence.

Mr. Everett called for a vote. The bill passed its readings with not more than three voices in opposition. The joint resolution to print Governor Glenn's inaugural address, 300 copies for the Senate and 700 copies for the House. The bill passed its readings.

Relative to hunting in Nash county. The bill passed its readings.

To enforce better drainage of certain lands in Lincoln county. The bill passed its readings.

To protect game in Madison county. The bill passed its readings.

To repeal chapter 513 of the public laws of 1899, relating to the sale of liquor in the Atlantic Hotel in Beaufort city. This bill would put Morehead City under the Watts law. Mr. Arndell of Carteret, explained the bill and said that the bill was not to make Morehead City prohibition, but to amend certain evils that cannot be amended any other way. The bills, he says, gives the people of Morehead City the right to regulate the sale of liquor in that place.

The bill passed its readings unanimously.

Leave of absence was granted to Mr. Sinclair of Cumberland and Mr. Turrentine of Alamance.

The Senate adjourned until Monday morning at 11 o'clock.

THE HOUSE.

Speaker Guion called the House to order at 10 o'clock, prayer being read by Rev. J. C. Massey of the Tabernacle Baptist church.

The Journal of Friday's proceedings was read and approved.

PETITIONS.

Warren, of Jones: To prohibit use of pound nets in waters of Hyde county. Committee on Fisheries.

INTRODUCTION OF BILLS.

The following bills were introduced and referred to committee indicated: Alexander of Mecklenburg: To regulate sale of liquor. Referred to committee on liquor traffic.

Koonce: To incorporate the Dunn South Bound Railroad Company. Railroads.

Laughinghouse: To exempt the town of Fountain from act prohibiting sale of liquor. Liquor traffic.

Robinson: To amend act regulating examination of justices. Judiciary.

Shipman: To amend law of 1903, making it unlawful to sell liquor in one mile of churches in Columbus county. Liquor traffic.

DOUGLAS' PLAN FAILS.

MOVEMENT TO END FALL RIVER STRIKE NOT SUCCESSFUL.

Several Conferences Held Yesterday but the Strikers and Manufacturers Could Not Reach Agreement—Another Conference Will be Held Wednesday, in the Hope of Settling the Dispute.

Boston, Mass., January 14.—The conference held at the state house today upon invitation of Governor Douglass and a committee of the Fall River cotton manufacturers and representatives of their striking employees closed at 6 o'clock this afternoon, no agreement for the settlement of the strike having been reached. Another conference will be held at the state house Wednesday next.

Though hope of a settlement today had been entertained by many of the labor people, their representatives were not disheartened tonight, and it is believed that the movement fathered by the governor may still result in ending a strike that for six months has been attended with much suffering on the part of the nearly 26,000 strikers and with loss to the mill owners.

When the meeting opened, Governor Douglass read to the two committees a plan which he had drawn up for a settlement of the strike. A copy of the proposition was handed to each of the two committees, which then retired to separate rooms. After the proposition had been discussed separately by the committees the governor learned that neither would accept his plan. From that time on, different propositions were made, both by the governor and the committees.

Various reports as to the chief point of difference were circulated during the day, but it was said on what appears to be good authority, that the strikers were willing to return to work on the basis of a seventy cent margin between the raw material and the finished product. In other words, they would agree to any wage scale which would give the manufacturers seventy cents profit between the cost of eight pounds of cotton and the selling price of 45 yards of finished goods. It is understood however, that the manufacturers held out for a larger margin.

BROUGHT TO WILMINGTON.

Jimmy Burns, the Negro Who Passed Several Raised Money Orders in This City Last Summer, Brought Here Yesterday from Savannah and Lodged in Jail.

Jimmy Burns, one of the negroes who operated in several southern states over a year passing raised money orders, and who was eventually arrested in Savannah, was brought to this city yesterday from Savannah by United States Deputy Marshal Murray, and was placed in New Hanover county jail. He will be tried at the next term of federal court which convenes here during the latter part of May.

It will be remembered that two negroes appeared in this city last summer, and passed raised money orders for \$30 each on Mr. A. Shrier, and Mr. R. F. Hamme. From each merchant the negroes purchased a small bill of goods and got the money orders cashed. They endeavored to pass raised orders on several other merchants but not knowing the bearings the merchants raised on the negroes' method to send it to the postoffice and purchase an order payable at some adjacent town, the amount being for only a dollar or two, and they would then by the means of some chemical remove the figures and place \$30 on the order. Before leaving Wilmington they purchased several orders, raised them and got unsuspecting merchants in Fayetteville to cash them.

The negroes were a slick pair and when it was learned they were operating in this field Postoffice Inspector Buck was sent here to work on the case. He had been based on the trail of the men for nearly a year, but they always kept just out of his reach. After working on the case for several days, it was found out that the men had left a package here with an old colored woman, with whom they stayed when in the city, with instructions to send it to Savannah. When this fact became known the express office was watched and when the package was sent off a post-office inspector was sent to Savannah and in delivering the package Burns was caught. His partner managed to escape but was later arrested in Kentucky and will probably be tried there.

The two negroes managed their scheme successfully for more than a year, securing on raised money orders more than \$3,000. Both of them will no doubt get long terms in prison.

Preparing Bills for Legislature.

A meeting of the legislative committee was held last night to get the bill which concerns the placing of more power in the hands of the aldermen to have streets improved, in better shape to be presented before the general assembly. There are several other bills to be presented before the legislature but only the bill pertaining to the streets was taken up last night and that was not finished.

Horse Knocked Down by a Car.

A street car collided with a transfer wagon belonging to City Livery Company yesterday morning at the intersection of Front and Princess streets. The horse was knocked down but was uninjured. Last night near the same crossing a car came very colliding with one of the fire engines which was going to the fire.

A STATEMENT

By Mrs. Duke of Circumstances Leading to Her Marriage

TO BRODIE DUKE

The Woman Says She Was Dumbfounded When Duke Proposed Marriage to Her, but He Insisted and She Finally Accepted Him—An Agreement Was Proposed by Which She Was Not to Accept Any of His Property in Case of His Death—Incidents in the Life of Mrs. Duke. Mr. Duke's Private Secretary, Mr. Bramham, Gives Out a Statement.

New York, January 14.—Mrs. Brodie L. Duke, whose marriage to Brodie L. Duke, a half brother of the president of the American Tobacco Company was followed by her husband's commitment to a sanitarium and proceedings to inquire into his sanity, made a statement of the circumstances under which she met and married Mr. Duke today. Mrs. Duke declared that she wanted to be set right before the public. She told how she met Mr. Duke as the result of an effort to secure a loan on tobacco lands in Texas, said that she was dumbfounded when Duke proposed marriage to her, that Duke had promised to give her stocks and bonds but had never done so.

Mrs. Duke said that she had been largely interested in tobacco raising interests in Bedford, Texas, that she formerly was a promoter in Chicago with Charles F. Taylor and that she was a land and immigration agent of the Southern Pacific Company. Mrs. Duke then stated that she required the sum of \$15,500 to pay for the Bedford lands, as, although she had possession of it she did not have a clear title because the land belonged to the bankrupt firm of Sully & Co., which could not deliver a deed to her. Her first introduction to Mr. Duke was the outcome of her attempt to secure a loan from him to develop her lands at Bedford.

"Mr. Duke came up and saw me in New York and three days afterwards he asked me to marry him," said Mrs. Duke. "I was dumbfounded at the request, but he insisted that I become his wife and I finally consented and we were married on December 19th. "When Mr. Duke asked me to marry him we discussed his family affairs. The fact that he was twice married and had four children made me realize it would be unpleasant for me to marry him, and enter into his family. However, I told him that I would sign an agreement not to accept any of his property in case of death, only securing for myself my own property at Bedford, which is situated four miles from Naacogroches.

In reply to this, Mr. Duke said: "I believe in you now and I will never doubt you any more. I shall trust you and I will find a way to give you while I am alive stock and bonds, and what is left, after my death, the children can fight over if they want to."

"Did Mr. Duke give you any stocks and bonds?" was asked.

"No, he never did."

Mrs. Duke then told of her marriage by Rev. W. W. Coe, in New York.

They lived at a hotel until Mr. Duke was taken away on January 6th she said.

"I have nothing to fear in Texas," said Mrs. Duke. "I am not afraid to go back there and while I have no knowledge of any indictment against me there, I can conceive of no reason for one. This property of mine in Texas, I have improved by building houses for my help, and I have stocked it with cattle and made it self-supporting. I have also raised a crop of tobacco."

Mrs. Duke produced a letter which she said was written by her husband to his father, in which he wrote of her in affectionate terms.

Mrs. Duke said she was born near Buffalo 37 years ago and came to Mrs. DesPlaines boarding house in this city when she was 12 years old.

Her mother, she said, was Helen E. Chapman, a daughter of the professor of language in the University of New London. Her grand father was Thomas C. Webb, the father of Free Masonry in this country, she declared. She also told of her marriage in 1886 to Geo. W. Hopkinson, which marriage she said was annulled, and her marriage in 1897 to Edward E. Powell and her divorce from him in 1903.

After a conference with his attorney today, W. G. Bramham, private secretary to Brodie L. Duke gave out the following statement:

"Mr. Duke will have nothing to do with his wife until all the charges made against him are thoroughly cleared up. Mr. Duke is as sane as any man living

and in my opinion he will be released of the charge of insanity. I have known him for years and he is capable of managing his own affairs. Mr. Duke told me yesterday he would not see Mrs. Duke or any of her representatives until the charges against him were cleared up. Mr. Duke says if any of the charges against Mrs. Duke prove to be true he will have his marriage annulled."

Mr. Bramham's attorney, Champe S. Andrews and John D. Lindsay, representing the Duke family conferred with Assistant District Attorney Perkins today regarding the Duke case.

MRS. DUKE CHARGED WITH SWINDLING.

Chicago, January 14.—A special to the Daily News from Naacogroches, Texas, says "Indictments charging Charles F. Taylor and Alice L. Webb, now Mrs. Brodie L. Duke with swindling, have been made public. These true bills were returned last September and have been kept in readiness by the sheriff awaiting the return of either or both of them to the state."

JUDGE FRED. PHILLIPS DEAD.

Well Known North Carolinian Passes Away at His Tarboro Home—Character by the State—Criticism of Gov. Glenn is Underserved.

(Special to The Messenger.)

Raleigh, N. C., January 14.—The news reached here today of the death of ex-Judge Frederick Phillips, at his home this morning at 8 o'clock in Tarboro. He had a great many friends here, who deeply sympathized with him and his family during his long illness. He was a very frequent visitor to Raleigh, one of his daughters being the wife of Mr. Hurbert Jackson. He became very sick last summer, and one of his daughters, who was in Europe traveling, had to be recalled by cable. Since that time he had had small chance of recovery.

For some days Judge Phillips has been near to the end, and all of his children and near relatives had been called to his bedside.

Judge Phillips was 67 years of age. He was a graduate of the University of the class of '59, and left that institution to enter the Confederate army with the regiment of Colonel Parker, with whom he served with distinction until the end of the great struggle at Appomattox. Returning from the war he read law and begun the practice of his profession at Tarboro, where he gained a splendid reputation as a fine lawyer and practitioner. In 1886 he was elected to the superior court bench and in the short time of one term, when he voluntarily retired, his name was coupled with the great judges of our state.

Since his retirement from the bench in 1891 Judge Phillips has devoted himself to his farm and other interests at Tarboro.

He is survived by a large family of children, who were at his bedside—Mrs. H. W. Jackson, of Raleigh; Dr. Jas. J. Phillips, of Tarboro; Mrs. M. G. Wood, Edenton; Mrs. J. F. Woodward, Norfolk; Misses Josephine and Leila Phillips, of Tarboro, and Messrs. Hyman and Fred Phillips, of Tarboro. A brother and sister also survive him—Mrs. J. B. Arrington, of Raleigh, and Hon. J. H. Phillips, of Rocky Mount.

As soon as the bill providing for the commission of ex-Confederates to erect a North Carolina memorial at Appomattox is ratified, Governor Glenn will appoint the commission.

Charters are granted to the Princess Theatre Company of Wilmington with power to build and operate theatres, there or anywhere in the state, conduct restaurants, do a general merchandise etc., S. A. Schloss and Thomas H. Wright being the principal owners, the capital stock being one hundred thousand dollars; the Bank of Caswell, at Milton to do a commercial and savings business; capital stock twenty-five thousand, R. S. Watt and others stockholders; the Raleigh Construction Company, to build electric and gas plant, to do plumbing, construct sewerage systems, operate shops etc., at Raleigh, capital stock ten thousand dollars, Albert R. Murry stockholder.

Some newspapers have criticized Governor Glenn for appointing his brother his private secretary. The appointment was entirely proper. Sons of Governors Morehead, Many and Vance were their private secretaries and two nephews of Governor Graham served in that capacity. The relationship must needs be exceedingly confidential between the governor and his private secretary.

One of the most faithful of all the minor state officials is Davy Haywood, colored, who for ten years has been the butler at the Executive Mansion and in all that time has had only one day's holiday, that being literally forced upon him recently. Governor Aycock holds him in the highest confidence and regards him as a trust servant.

Schooner Had Severe Experience in Recent Blow.

Norfolk, Va., January 14.—The schooner Grace Seymour from Fernandina to New York has reached Hampton Roads with her main gaff broken and main sail gone. The vessel had a severe experience in the heavy blow of last night.

Farmers Urged to Reduce Acreage of Cotton.

Charleston, S. C., January 14.—A special from Union, S. C., says: "The farmers of Union met here today and adopted resolutions that it was the sense of the meeting that all farmers who last year planted more than fifteen acres of cotton to the plow should reduce their acreage, twenty-five per cent. Three delegates were elected to represent the county at the New Orleans convention."

STOESSEL IN NAGASAKI

CLOSING ACT IN THE GREAT PORT ARTHUR DRAMA.

Russian Officers Saluted Their Chief in Respectful Silence—Emperor Nicholas Has Addressed a Rescript to the Army, in Which He Urges the Troops Not to be Discouraged. He Says Russian Strength Grows With Adversity.

Nagasaki, January 4.—The Japanese transport Kamakuru from Port Dalry, January 11, with General Stoessel and others on board, arrived today. After a prolonged quarantine inspection, Governor Arakawa with the chief officials of this port, proceeded on board the Kamakuru in the afternoon and General Stoessel and Madam Stoessel, two of the Russian commander's personal staff, seven other officers, two ladies and six orphan children were landed in three steam launches at the Inasa Jetty, where they were received by a guard of fifty police and several officers of gendarmes. The Russian general was attired in a gray military overcoat and wore his sword. He looked well and walked with a steady step. Preceded by a few police officers and followed by his retinue, General Stoessel slowly wended his way up the hill to a pretty situated bungalow on Inasa Hill where he will be quartered. Half way there some dozens of Russian officers finding that their late chief was arriving ran up from all directions and saluted in respectful silence. The party then entered the house.

MESSAGE OF CHEER FROM THE EMPEROR.

St. Petersburg, January 14.—Emperor Nicholas has addressed a rescript to the army, which says:

"Peace, honor and undying memory will be the portion of you Russians who have fallen in the defense of Port Arthur. Far from home, you have laid your bodies upon alien soil—a sacrifice to the dictates of your own honor and the demands of your Emperor."

"My gallant troops and sailors: Do not let this sorrow dismay you. Our enemy is strong and daring. This fight against them occurs seven thousand miles from our home; but Russia is powerful. Do not let your souls be troubled by lack of success and heavy losses. Russian strength grows with adversity."

"With all Russia I join in the belief that the time is coming when God will give strength to our glorious army and navy to arise and break the forces of the enemy."

(Signed.) "NICHOLAS."

RECENT ENCOUNTER BETWEEN THE OPPOSING FORCES.

General Kuroki's Headquarters in the Field via Fusan, January 14.—A body of Russian cavalry made a raid south this week for the purpose of harassing the Japanese lines of communication. They occupied the old town of New Huang, whose population is entirely Chinese. On Thursday Japanese infantry attacked the Russians and drove them from the town. They left fifty dead. One Japanese was killed. The raiders, who crossed the Liao river into neutral territory are supposed to number three thousand men. There was some interruption of railroad communication with the south Wednesday, as a result of the raid but the damage was immediately repaired.

The Governor Will be Asked to Grant A Respite to McCue.

Richmond, Va., January 14.—Counsel for J. Samuel McCue, former mayor of Charlottesville, sentenced to be hanged January 20th for the murder of his wife, announced that they will ask Governor Montague for a short respite in order that the condemned man may settle certain affairs in which several persons are interested. It is understood that Mr. McCue's counsel will take advantage of the respite if granted to prepare papers asking the governor for a commutation of sentence or a pardon.

Schooner Seeking Safety from Northwester.

Norfolk, Va., January 14.—A message over the government coast wires from Hatteras reports the schooner Nellie W. Howlett, from Mobile to New York, anchored near Creeds Hill lighthouse station for safety from the northwester.

Eleven Witnesses Testify in the Smoot Case.

Washington, January 14.—Eleven witnesses testified today before the Senate committee on privileges and elections in the investigation of pretenses against the seating of Senator Reed Smoot. All except two told of political conditions in Utah and of the Mormon endowment house ceremony.

Funeral of Miss Kinyon This Afternoon.

The remains of the late Miss Lottie E. Kinyon, who died at Southern Pines on Friday, will reach here today at 12:45 on the Seaboard Air Line train. The funeral will take place this afternoon at 4 o'clock from Fifth Street M. E. church, with interment in Oakdale.

Thirty-four Years at Same Stand.

With the beginning of the new year Mr. Martin O'Brien has conducted a saloon at the corner of Nutt and Red Cross streets for 34 years. He was burned out in the great fire of 1866 and in twelve days had rebuilt and resumed business.